

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 10-00187-01-CR-W-ODS
)	
ROBERT MONTGOMERY,)	
)	
Defendant.)	

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DENYING DEFENDANTS' MOTIONS TO DISMISS**

On February 22, 2011, the Honorable Sarah W. Hays, United States Magistrate Judge for the Western District of Missouri, issued her Report and Recommendation recommending that Defendant's motions to dismiss be denied. Neither party filed objections to the Report and Recommendation, and the time for doing so has passed. 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). The Court agrees with the Report's conclusion that there Defendant's motions lack merit. Accordingly, Judge Hays' Report and Recommendation (Doc. # 58) is adopted as the Order of the Court, and Defendant's motions to dismiss are denied.

IT IS SO ORDERED.

DATE: March 17, 2011

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT